



Journal of the House

State of Indiana

121st General Assembly

Second Regular Session

Twenty-Fourth Day

Monday Afternoon

February 24, 2020

The invocation was offered by Pastor Michael Bell of Chandler Church of the Nazarene in Chandler, IN, a guest of Representative Bacon.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Saunders.

The Speaker ordered the roll of the House to be called:

Abbott	Jackson
Austin	Jordan
Aylesworth	Judy
Bacon	Karickhoff
Baird	Kirchhofer
Barrett	Klinker
Bartels	Lauer
Bartlett	Lehe
Bauer	Lehman
Beck	Leonard
Behning	Lindauer
Borders	Lucas <input type="checkbox"/>
Boy	Lyness
T. Brown	Macer
Burton	Manning
Campbell	May
Candelaria Reardon	Mayfield
Carbaugh	McNamara
Cherry	Miller
Chyung	Moed
Clere	Morris
Cook	Morrison
Davisson	Moseley
Deal	Negele
DeLaney	Nisly
DeVon	Pfaff
Dvorak	Pierce
Eberhart	Porter
Ellington	Prescott
Engleman	Pressel
Errington	Pryor
Fleming	Saunders
Forestal <input type="checkbox"/>	Schaibley
Frye	Shackleford
GiaQuinta	Sherman
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy <input type="checkbox"/>
Harris	Steuerwald
Hatcher	Stutzman
Hatfield	Sullivan
Heaton	Summers
Heine <input type="checkbox"/>	Thompson
Hostettler	Torr
Huston	VanNatter

Vermilion
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 193: 96 present; 4 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, February 25, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 179, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 2, after "agreement." insert "**This section expires January 1, 2023.**"

Page 2, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 2. IC 3-7-26.3-35, AS ADDED BY P.L. 71-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 35. (a) ~~Not later than January 1, 2020,~~ The secretary of state shall issue an order establishing proficiency standards for an individual employed by or acting under the authorization of a county voter registration office, **a circuit court clerk, a county election board, or a board of elections and registration** to be qualified to access the computerized list.

(b) ~~After December 31, 2019,~~ An individual described in subsection (a) must have demonstrated to the satisfaction of the secretary of state and the election division that the individual has been sufficiently trained and demonstrated the individual's ability to properly access the system and comply with all applicable laws governing the operation of the list in order for the individual to access the computerized list.

(c) The county voter registration office, **circuit court clerk, county election board, or board of elections and registration** may revoke the authorization granted by the office, clerk, or board under subsection (b) for good cause, and shall file a report of the revocation with the secretary of state and the election division not later than seven (7) days after the revocation is effective."

Page 2, between lines 36 and 37, begin a new line block indented and insert:

"However, after December 31, 2020, an electronic poll book may not display whether a voter's registration record is in active or inactive status."

Renumber all SECTIONS consecutively.

(Reference is to SB 179 as printed January 28, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

WESCO, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 230, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 230 as reprinted January 28, 2020.)

Committee Vote: Yeas 13, Nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 254, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 254 as printed January 17, 2020.)

Committee Vote: Yeas 12, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 334, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 18 and 19, begin a new line block indented and insert:

"(5) Best practices in answering voters' questions on how to vote, including providing instructions to voters on straight ticket voting."

Page 4, line 27, delete "for a federal office" and insert **"(other than for a federal office)"**.

Page 12, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 11. IC 3-11-2-10, AS AMENDED BY P.L.278-2019, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) Public questions shall be placed on the general election ballot in the following order after the statement described in section 7 of this chapter, and the instructions described in subsections (d) and (e) and section 8 of this chapter, if instructions are printed on the ballot:

- (1) Ratification of a state constitutional amendment.
- (2) Local public questions.

Subject to section 10.1 of this chapter, each public question shall be placed in a separate column on the ballot.

(b) The name or title of the political party or independent ticket described in section 6 of this chapter shall be placed on the general election ballot after the public questions described in subsection (a). The device of the political party or independent ticket shall be placed immediately under the name of the political party or independent ticket. **Notwithstanding section 8(b) of this chapter**, the instructions for voting a straight party ticket shall be placed to the right of the device ~~if instructions are printed~~ on the ballot.

(c) The instructions for voting a straight party ticket must conform as nearly as possible to the following:

"(1) You are not required to vote a straight party ticket. If you do not wish to vote a straight party ticket,

do not make a mark in this section, and proceed to voting the ballot by office.

~~(1)~~ **(2)** To vote a straight (insert political party name) ticket for all (insert political party name) candidates on this ballot, except for candidates described in (2) below, make a voting mark on or in this circle and do not make any other marks on this ballot.

~~(2)~~ **(3)** To vote for any candidate for an at-large office (insert county council, city common council, town council, or township board if those offices appear on this ballot) to which more than one **(1)** person may be elected, you must make another voting mark for each candidate you wish to vote for. Your straight party vote will not count as a vote for any candidate for that office.

~~(3)~~ **(4)** If you wish to vote for a candidate seeking a nonpartisan office or on a public question, you must make another voting mark on the appropriate place on this ballot."

(d) Except as permitted under section 8(b) of this chapter, if the ballot contains an independent ticket described in section 6 of this chapter and at least one (1) other independent candidate, the ballot must also contain a statement that reads substantially as follows: "A vote cast for an independent ticket will only be counted for the candidates for President and Vice President or governor and lieutenant governor comprising that independent ticket. This vote will NOT be counted for any OTHER independent candidate appearing on the ballot."

(e) Except as permitted under section 8(b) of this chapter, the ballot must also contain a statement that reads substantially as follows: "A write-in vote will NOT be counted unless the vote is for a DECLARED write-in candidate. To vote for a write-in candidate, you must make a voting mark on or in the square to the left of the name you have written in or your vote will not be counted."

(f) Subject to section 10.1 of this chapter, the list of candidates of the political party shall be placed immediately under the instructions for voting a straight party ticket. The names of the candidates shall be placed three-fourths (3/4) of an inch apart from center to center of the name. The name of each candidate must have, immediately on its left, a square three-eighths (3/8) of an inch on each side.

(g) The circuit court clerk may authorize the printing of ballots containing a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

SECTION 12. IC 3-11-13-11, AS AMENDED BY P.L.278-2019, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The ballot information, whether placed on the ballot card or on the marking device, must be in the order of arrangement provided for ballots under this section.

(b) Each county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on a ballot card as provided in this chapter. The county may:

- (1) print all offices and questions on a single ballot card; and
- (2) include a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

(c) Each type of ballot card must be of uniform size and of the same quality and color of paper (except as permitted under IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners shall be listed on the ballot with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners.

(e) The offices and public questions on the general election ballot must be placed on the ballot in the order listed in IC 3-11-2-12, ~~IC 3-11-2-12.2~~, IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), and IC 3-11-2-14(d). The offices and public questions may be listed in a continuous column either vertically or horizontally and on a number of separate pages.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.

(2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for. A straight party vote will not count as a vote for any candidate for this office.", if more than one (1) candidate is to be elected to the office.

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

(1) The major political party whose candidate received the highest number of votes in the county for secretary of state at the last election is listed first.

(2) The major political party whose candidate received the second highest number of votes in the county for secretary of state is listed second.

(3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the last election are listed after the party listed in subdivision (2).

(4) If a political party did not have a candidate for secretary of state in the last election or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).

(5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.

(6) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (5), if required by law.

(7) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent" if the:

(1) candidate; or

(2) ticket of candidates for:

(A) President and Vice President of the United States; or

(B) governor and lieutenant governor;

is independent, must be placed immediately below or beside the name of the candidate and must be printed in a uniform size and type.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

(1) under the name of the office that the candidates are seeking;

(2) in the order established by subsection (g); and

(3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed

immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office."

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

(1) under the name of the office that the candidates are seeking; and

(2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office."

(k) The following information must be placed at the top of the ballot before the first public question is listed:

(1) The cautionary statement described in IC 3-11-2-7.

(2) The instructions described in IC 3-11-2-8, IC 3-11-2-10(d), and IC 3-11-2-10(e).

(l) The ballot must include a single connectable arrow, circle, oval, or square, or a voting position for voting a straight party or an independent ticket (described in IC 3-11-2-6) by one (1) mark as required by section 14 of this chapter, and the single connectable arrow, circle, oval, or square, or the voting position for casting a straight party or an independent ticket ballot must be identified by:

(1) the name of the political party or independent ticket (described in IC 3-11-2-6); and

(2) immediately below or beside the political party's or independent ticket's name, the device of that party or ticket (described in IC 3-11-2-5).

The name and device of each political party or independent ticket must be of uniform size and type and arranged in the order established by subsection (g) for listing candidates under each office. The instructions described in IC 3-11-2-10(c) for voting a straight party ticket and the statement concerning presidential electors required under IC 3-10-4-3 **may** must be placed on the ballot label. ~~or in a location within the voting booth in a location that permits the voter to easily read the instructions.~~ **The instructions for voting a straight party ticket must include the statement: "If you do not wish to vote a straight party ticket, do not make a mark in this section and proceed to voting the ballot by office."**

(m) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a single connectable arrow, a circle, or an oval may be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot card that contains language concerning the public question other than the language authorized by a statute.

(n) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to optical scan ballots.

(o) The procedure described in IC 3-11-2-16 must be used when a ballot does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.

(p) This subsection applies to an optical scan ballot that does not list:

(1) the names of political parties or candidates; or

(2) the text of public questions;

on the face of the ballot. The ballot must be prepared in accordance with this section, except that the ballot must include a numbered circle or oval to refer to each political party, candidate, or public question.

SECTION 13. IC 3-11-14-3.5, AS AMENDED BY P.L.21-2016, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) Each

county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on ballot labels for use in an electronic voting system as provided in this chapter.

(b) The county may:

- (1) print all offices and public questions on a single ballot label; and
- (2) include a ballot variation code to ensure that the proper version of a ballot label is used within a precinct.

(c) Each type of ballot label must be of uniform size and of the same quality and color of paper (except as permitted under IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners must be listed on the ballot label with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners.

(e) The ballot labels must list the offices and public questions on the general election ballot in the order listed in IC 3-11-2-12, ~~IC 3-11-2-12.2~~, IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), and IC 3-11-2-14(d). Each office and public question may have a separate screen, or the offices and public questions may be listed in a continuous column either vertically or horizontally.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

- (1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.
- (2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for. A straight party vote will not count as a vote for any candidate for this office.", if more than one (1) candidate is to be elected to the office.

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

- (1) The major political party whose candidate received the highest number of votes in the county for secretary of state at the last election is listed first.
- (2) The major political party whose candidate received the second highest number of votes in the county for secretary of state is listed second.
- (3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the last election are listed after the party listed in subdivision (2).
- (4) If a political party did not have a candidate for secretary of state in the last election or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).
- (5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.
- (6) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (5), if required by law. A space for write-in voting for an office is not required if there are no declared write-in candidates for that office. However, procedures must be implemented to permit write-in voting for candidates for federal offices.

(7) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent", if the:

- (1) candidate; or
- (2) ticket of candidates for:
 - (A) President and Vice President of the United States; or
 - (B) governor and lieutenant governor;

is independent, must be placed immediately below or beside the name of the candidate and must be printed in uniform size and type.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

- (1) under the name of the office that the candidates are seeking;
- (2) in the party order established by subsection (g); and
- (3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office."

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

- (1) under the name of the office that the candidates are seeking; and
- (2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office."

(k) The cautionary statement described in IC 3-11-2-7 must be placed at the top or beginning of the ballot label before the first public question is listed.

(l) The instructions described in IC 3-11-2-8, IC 3-11-2-10(d), and IC 3-11-2-10(e) may be:

- (1) placed on the ballot label; or
- (2) posted in a location within the voting booth that permits the voter to easily read the instructions.

(m) The ballot label must include a touch sensitive point or button for voting a straight political party or independent ticket (described in IC 3-11-2-6) by one (1) touch, and the touch sensitive point or button must be identified by:

- (1) the name of the political party or independent ticket; and
- (2) immediately below or beside the political party's or independent ticket's name, the device of that party or ticket (described in IC 3-11-2-5).

The name and device of each party or ticket must be of uniform size and type, and arranged in the order established by subsection (g) for listing candidates under each office. The instructions described in IC 3-11-2-10(c) for voting a straight party ticket and the statement concerning presidential electors required under IC 3-10-4-3 **may** **must** be placed on the ballot label. ~~or in a location within the voting booth that permits the voter to easily read the instructions. The instructions for voting a straight party ticket must include the statement: "If you do not wish to vote a straight party ticket, press "NEXT" (or replace "NEXT" with the term used by that voting system to permit a voter to skip a ballot screen) to continue voting."~~

(n) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a touch

sensitive point or button must be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot label that contains language concerning the public question other than the language authorized by a statute.

(o) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to ballots for electronic voting systems.

(p) The procedure described in IC 3-11-2-16 must be used when a ballot label does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters."

Renumber all SECTIONS consecutively.

(Reference is to SB 334 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 4.

WESCO, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 343, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 343 as printed January 31, 2020.)

Committee Vote: Yeas 11, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 410, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 410 as printed January 31, 2020.)

Committee Vote: Yeas 13, Nays 0.

ZENT, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 29

The Speaker handed down Senate Concurrent Resolution 29, sponsored by Representative Bartlett:

A CONCURRENT RESOLUTION congratulating Cathedral High School's "We the People: The Citizen and the Constitution" team on winning Indiana's State competition.

Whereas, "We the People: The Citizen and the Constitution" is a competition that consists of a mock congressional hearing that challenges students to evaluate, take, and defend positions on historical and modern issues;

Whereas, The class is a co-curricular program in which students complete college-level course work, and spend numerous hours outside of class preparing;

Whereas, Cathedral High School has won the 7th Congressional District "We the People: The Citizen and the Constitution" competition this year and will represent Indiana at the national competition in Washington, D.C.; and

Whereas, Coaches Jill Twilleager, Jacob Twilleager, and Sean Dewey and team members Annika Garwood, Kathrine Griffith, Jackson Hern, Carson Kwiatkowski, Maxwell Martin, Kendrick Mernitz, Anya Neumeister, Timothy Sullivan, and Garrett Wright should all be congratulated on their excellent performance: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates Cathedral High School's "We the People: The Citizen and the Constitution" team on this great achievement and wishes them all the best in future endeavors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit 34 copies of this resolution to the Coaches and Students of the Cathedral High School "We the People: The Citizen and the Constitution" team.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 37

The Speaker handed down Senate Concurrent Resolution 37, sponsored by Representative Cook:

A CONCURRENT RESOLUTION honoring Bobby Cox upon his retirement as Commissioner of the Indiana High School Athletic Association.

Whereas, After serving since 2011 as the eighth Commissioner of the Indiana High School Athletic Association (IHSAA), Bobby Cox will retire on August 1, 2020;

Whereas, Bobby Cox graduated from Carmel High School in 1975, participating in cross country and track and field, earned a bachelor's degree in physical education and health from Butler University in 1979, and a master's degree in secondary education from Butler University in 1987;

Whereas, Commissioner Cox started his career as a teacher and coach at Carmel Clay Junior High School in 1979, becoming athletics and activities director in 1990, and later the athletic director of Carmel High School in 1997;

Whereas, In 2000, after three years as Carmel High School's athletic director, Commissioner Cox became an Assistant Commissioner of the IHSAA, where he administered the sports of football, boys' golf, boys' and girls' track and field, and wrestling;

Whereas, As Commissioner, Bobby Cox led the IHSAA to make advances in numerous areas to strengthen the IHSAA brand and promote the many values and benefits of participation in education-based athletics;

Whereas, Commissioner Cox's tenure saw an expansion of corporate partnerships and sponsorships for the IHSAA, and Commissioner Cox pushed for strides in sportsmanship, technology, coaches education, student-athlete health and safety, officiating recruitment and retention, and servant leadership;

Whereas, Commissioner Cox also led the IHSAA to form the Champions Together initiative, a partnership with Special Olympics Indiana which established two new state tournaments in Unified Track and Field and Unified Flag Football, allowing students with and without intellectual disabilities to compete together in a team setting for their school;

Whereas, In addition to leading the IHSAA, Commissioner Cox has served on the board of directors of the National Federation of State High School Associations (NFHS), the IHSAA Foundation, the Indiana Basketball Hall of Fame, the

Indiana Sports Corporation, the Council on Standards for International Educational Travel, and the Center for Sports Leadership and Innovation;

Whereas, Commissioner Cox previously served as a member of the NFHS Football Rules Committee, serving as Chairman of the Research Subcommittee, a member of the NFHS Coaches' Education Committee, and an advisor to the Commission on Sports Medicine of the Indiana State Medical Association;

Whereas, Bobby Cox is a 2019 inductee into the Carmel High School Alumni Hall of Fame, and is married to his wife, Kathy; and

Whereas, Bobby Cox's countless contributions as IHSAA Commissioner have improved Indiana high school athletics for years to come: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. The Indiana General Assembly honors Bobby Cox upon his retirement as Commissioner of the Indiana High School Athletic Association.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Commissioner Bobby Cox

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 39

The Speaker handed down Senate Concurrent Resolution 39, sponsored by Representatives Bosma and DeLaney:

A CONCURRENT RESOLUTION congratulating the Bishop Chatard High School Trojans football team on its Class 3A state championship.

Whereas, Bishop Chatard High School of Indianapolis won the Class 3A state football championship on November 29, 2019;

Whereas, The victory was the Trojans' 14th high school football championship in the school's history, more high school football championships than have been won by any other high school in Indiana;

Whereas, The Trojans attained a 2019 season record of 14-1, scoring 650 points and holding their opponents to 174 points;

Whereas, The Trojans were led by Seniors Derion Gilbert (#1), Daylen Taylor (#2), Wyatt Schrader (#4), Kyle Cheek (#5), Tim McNelis (#10), Max Schrage (#11), Leo Dilts (#13), Thomas Joven (#14), Patrick Mastrian (#18), Hunter Boyd (#21), Andrew Sowinski (#22), Anthony Boso (#29), Michael Duffy (#40), Tom LeMark (#43), Jack McGillicuddy (#49), Alex Geise (#55), Joseph Solomon (#57), Jacob Szydyk (#60), George Assalley (#63), Jack Benson (#64), Andrew Squier (#65), Eric Onate-Barlow (#68), Hayes Shepard (#77), Darrius Williams (#85), Sam Richey (#87), and George Forsee (#99);

Whereas, Trojan football player Joseph Solomon was chosen as one of the top 50 Football Players in Indiana by the Indiana Football Coaches Association, and players Patrick Mastrian, Wyatt Schrader, Andrew Sowinski, and Daylen Taylor were chosen as Class 3A All-State Players;

Whereas, Trojan football player Thomas Joven was named to the Indianapolis Colts Academic All Star Team and Trojan football players George Assalley, Kyle Cheek, Michael Duffy, George Forsee, Thomas Joven, Tom LeMark, Patrick Mastrian,

Tim McNelis, Wyatt Schrader, Max Schrage, Andrew Sowinski, and Jacob Szydyk were named as 2019 Indiana Academic All State;

Whereas, Head Coach Rob Doyle Sr. was recognized by the Indiana Football Coaches Association as the Class 3A Coach of the year, and was supported by talented and dedicated assistant coaches: Michael Annee, Shane Bosert, Bob Brock, Jamel Coleman, Rob Doyle Jr., Kyle Dietrick, Brock Dodson, Mike Dum, George Dury, Rob Dury, Tim Dury, Danny Goff, John Goodman, Mark Jones, Travis Lucas, Tayt Odom, Eric Quintana, Drew Schmutte, Bob Tomlinson, and Steve Valdiserri;

Whereas, The Trojans were cared for by committed professional physicians, trainers, and student trainers;

Whereas, The Trojans were enthusiastically supported by the Bishop Chatard student body, faculty and administrators, parents and families, alumni from near and far, and the entire Bishop Chatard community; and

Whereas, An outstanding achievement such as this deserves special recognition: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Bishop Chatard Trojans on its Class 3A state football championship and wishes the team continued success both on and off the field.

SECTION 2. That the Principal Secretary of the Senate shall transmit a copy of this resolution to all the individuals specifically named in this resolution as well as President Bill Sahm; Principal Joe Hansen; Athletic Director Mike Ford; and Gina Fleming, Superintendent of Catholic Schools for the Archdiocese of Indianapolis.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 43

The Speaker handed down Senate Concurrent Resolution 43, sponsored by Representative Klinker:

A CONCURRENT RESOLUTION congratulating the Lafayette Jefferson High School Marching Band on winning the Indiana State School Music Association Scholastic Class A State Finals.

Whereas, The 2019 Lafayette Jefferson High School Marching Band won the Indiana State School Music Association's (ISSMA) Scholastic Class A State Finals on October 26, 2019;

Whereas, The 2019 ISSMA competition was held in Indianapolis at Lawrence Central High School, and featured 34 marching bands competing in one of two categories, Scholastic A and Scholastic B, based on band size and school enrollment;

Whereas, Though weather prevented the band from performing outdoors to tell the entire visual story, the Lafayette Jefferson Marching Bronchos performed their routine, Persistence of Time, after spending hours of hard work and practice perfecting the show; and

Whereas, Winning the 2019 ISSMA Scholastic Class A earned the Lafayette Jefferson High School Marching Bronchos an invitation to perform at the 2019 Indiana State School Music Association Marching Band Finals: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Lafayette Jefferson High School Marching Band on winning the 2019 ISSMA Scholastic Class A State Finals.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Chris Paulson, Director of the Lafayette Jefferson High School Marching Band

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 44

The Speaker handed down Senate Concurrent Resolution 44, sponsored by Representative Mayfield:

A CONCURRENT RESOLUTION honoring Hoosier Basketball Magazine's 50th year of publication.

Whereas, First published in 1970, the Hoosier Basketball Magazine is in its 50th year of publication;

Whereas, Hoosier Basketball Magazine is a 272-page comprehensive survey of all boys' and girls' high school and men's and women's college and professional basketball teams in Indiana;

Whereas, The magazine primarily provides an in-depth analysis of Indiana high school basketball, including detailed regional round-ups featuring each regional's top players, and profiles of all boys' and girls' prep teams;

Whereas, Hoosier Basketball Magazine also ranks the Top 50 boys' and girls' high school basketball teams, rates the top teams in each class, and names the four All-State teams for both girls' and boys' basketball, along with the Honorable Mention All-State teams;

Whereas, Each year, Hoosier Basketball Magazine recognizes more than 700 boys and 700 girls, and includes more than 1,500 pictures in the publication; and

Whereas, Hoosier Basketball Magazine's in-depth coverage and analysis of all Indiana high school basketball teams is part of the reason the magazine is referred to as the "Basketball Bible of Indiana!": Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly honors Hoosier Basketball Magazine's 50th year of providing a comprehensive statewide summary of Indiana basketball.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Kip Wesner, Publisher of Hoosier Basketball Magazine

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 45

The Speaker handed down Senate Concurrent Resolution 45, sponsored by Representative Carbaugh:

A CONCURRENT RESOLUTION recognizing Indiana Arts Education Day at the Statehouse.

Whereas, February 18, 2020, is Indiana Arts Education Day at the Statehouse, where the Indiana Arts Education Network,

including a broad cross-section of Indiana organizations and leaders, gathers to promote that all Indiana students deserve a well-rounded education that includes music and the arts;

Whereas, A representation of Indiana's best and brightest music and arts champions attend Indiana Arts Education Day, with dozens of honorees from a variety of state and national organizations, such as the Educational Theater Association, the Indiana Music Educators Association, the Indiana State School Music Association, Indiana Thespians, the Jazz Education Network, Music for All, the NAMM Foundation, the Percussive Arts Society, and more;

Whereas, The Indiana Arts Education Network, collaborating with music and arts education advocates from around the state, is committed to ensuring that every Indiana student has reliable access to music and arts education;

Whereas, The Indiana Arts Education Network is dedicated to ensuring that every Indiana child reaches their full potential so they will be equipped to lead successful lives and help make Indiana the best place in the country to live and work;

Whereas, Students with greater arts participation are more likely to come to class, avoid being removed and graduate, as well as demonstrate greater proficiency in mathematics and communication;

Whereas, The skills gained through sequential music instruction, including discipline and the ability to analyze, solve problems, communicate, and work cooperatively, are vital for workplace readiness;

Whereas, Creative drama involvement improves adults' divergent thinking, increasing their fluency and flexibility, thereby increasing their creativity;

Whereas, The values youth obtain from working in the arts that carry over into general learning include critical thinking skills and risk-taking; and

Whereas, The Indiana Arts Education Network is dedicated to serving all Indiana students by supporting their ability to get the well-rounded education, including music and the arts, that they deserve: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes Indiana Arts Education Day at the Statehouse and the importance of arts education to all young Hoosiers.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Indiana Arts Education Network

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 46

The Speaker handed down Senate Concurrent Resolution 46, sponsored by Representative Pressel:

A CONCURRENT RESOLUTION recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Whereas, February 24-28, 2020, is National Public Schools Week to recognize the importance of public education;

Whereas, Public schools prepare young people to contribute to the society, economy, and citizenry of Indiana and the United States, and 90% of children in the United States attend public schools;

Whereas, State and federal lawmakers should prioritize support for strengthening the public schools of Indiana and empower superintendents, principals, and school leaders to implement, manage, and lead school districts and schools in partnership with educators, parents, and other local education stakeholders;

Whereas, Public schools should foster inclusive, safe, and high-quality environments where children can learn to think critically, problem solve, and build relationships;

Whereas, Every child should receive an education that helps the child reach the child's full potential and to attend schools that offer a high-quality educational experience;

Whereas, Superintendents, principals, school leaders, teachers, paraprofessionals, and parents make public schools vital components of communities and are working hard to improve educational outcomes for children across the country; and

Whereas, The importance of public education in Indiana cannot be overstated: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes Indiana public schools and National Public Schools Week.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Indiana Coalition for Public Education

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 51

The Speaker handed down Senate Concurrent Resolution 51, sponsored by Representatives Torr, McNamara, May, Mayfield, Ellington, Pierce, Bosma, DeLaney, Hatfield, Hatcher, Speedy, Steuerwald, Young and Schaibley:

A CONCURRENT RESOLUTION honoring Judge John G. Baker upon his retirement from the Indiana Court of Appeals.

Whereas, After serving for 31 years as a member of the Indiana Court of Appeals, Judge John G. Baker will retire from the bench July 31, 2020;

Whereas, Judge Baker grew up in Aurora, Indiana, attained the rank of Eagle Scout, and graduated from the Culver Military Academy;

Whereas, Judge Baker received a Bachelor of Arts degree in History from Indiana University in 1968, a Juris Doctor degree from the Indiana University School of Law–Bloomington in 1971, and a Master of Laws degree from the University of Virginia in 1995;

Whereas, Judge Baker practiced law with the firm of Baker, Barnhart, and Andrews, before serving as judge of the Monroe County and Monroe Superior Courts for 13 1/2 years, disposing of more than 15,000 cases as a trial court judge;

Whereas, In 1989, Judge Baker was named to the Court of Appeals by Governor Evan Bayh, and he was retained on the Court by election in 1992, 2002, and 2012;

Whereas, During his time on the Court of Appeals, Judge Baker wrote more than 5,000 majority opinions for the Court, and served as Chief Judge of the Court of Appeals from 2007 through 2010;

Whereas, Judge Baker also spent time in the classroom, teaching for 33 years at the Indiana University–Bloomington School of Public and Environmental Affairs, teaching a class for foreign lawyers at the Indiana University Robert H. McKinney School of Law for 10 years, and serving on the faculties of the Indiana Judicial College, Indiana Continuing Legal Education Forum, and the National Institute of Trial Advocacy;

Whereas, Long interested in court and judicial reform and history, Judge Baker has been a member of the Strategic Planning Committee of the Judicial Conference of Indiana since its inception to help improve Hoosiers' access to Indiana courts and their quality of experience in dealing with the courts;

Whereas, Judge Baker is a member of the American, Indiana State, Monroe County, Boone County, and Indianapolis Bar Associations, and served on the Indiana Judges' Association Board of Managers from 1979 through 2011, including as president from January 1987 through June 1989;

Whereas, Off the bench, Judge Baker served as a Captain in the U.S. Army Reserves, serves on the Board of Trustees of Garrett-Evangelical Theological Seminary, and remains active in his community, church, and the Boy Scouts of America;

Whereas, Judge Baker and his wife are the proud parents of six children and grandparents of eleven;

Whereas, Judge Baker has served with distinction during his more than four decade career as a member of the Indiana Court of Appeals and the Monroe County trial courts; and

Whereas, It is fitting that the Indiana General Assembly honors Judge Baker for his immeasurable contributions to the Indiana Judiciary and legal community: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly honors Judge John G. Baker upon his retirement from the Indiana Court of Appeals, thanks him for his years of service and immeasurable contributions to his state and country, and wishes him health and happiness in his retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Judge John G. Baker

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

House Concurrent Resolution 40

Representative Burton introduced House Concurrent Resolution 40:

A CONCURRENT RESOLUTION recognizing dyslexia in Hoosier youth.

Whereas, Dyslexia is a language based learning disability which results in people having difficulty with language skills such as reading, spelling, writing, and speaking;

Whereas, While the causes of dyslexia are not clear, current studies suggest that 85% of those with a reading disability have dyslexia;

Whereas, Dyslexia is diagnosed through a formal evaluation, conducted by trained school or outside specialists;

Whereas, Advocacy groups, including Bear Reading Center, CAST Washington County, Children's Dyslexia Center, Columbus READS, Decoding Dyslexia Indiana, Dyslexia

Institute of Indiana, Elliott Cox Racing, Fortune Academy, Greenwood Public Library, International Dyslexia Association Indiana Branch, Multisensory Education Solutions, and Therese Rooney and the M.A. Rooney Foundation, along side many others; and

Whereas, These groups work to educate the public, parents, and educators about dyslexia: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes dyslexia in Hoosier youth.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Woody Burton for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Houchin.

House Resolution 30

Representative Beck introduced House Resolution 30:

A HOUSE RESOLUTION recognizing Workers Memorial Day.

Whereas, Workers Memorial Day is recognized on April 28th each year to honor workers who died or suffered workplace injuries while at work;

Whereas, The 2018 Indiana Census of Fatal Occupational Injuries found that more than 1,100 Hoosiers died from workplace injuries between 2010 and 2018;

Whereas, "It is true that some occupations are inherently more dangerous than others, but the mentality that dying is "just part of the job" is erroneous and obsolescent," according to the same report;

Whereas, Hoosier workers lose their lives each year throughout Indiana, causing an immeasurable loss to families, who are left to grieve after the loss of a loved one;

Whereas, Working conditions are regularly monitored for safety and compliance per standards of the Indiana Occupational Safety and Health Administration (IOSHA), part of the Indiana Department of Labor, so that workers are not put at risk of suffering a fatal injury;

Whereas, Employees need to be protected from possible life threatening risks, and the Indiana General Assembly provides IOSHA with all of the necessary tools to fully and rigorously investigate all workplace fatalities in order to ensure employers follow the appropriate safety measures; and

Whereas, The Indiana House of Representatives wishes to honor and remember the Hoosier workers who have suffered and died on the job: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes April 28, 2020, as Workers Memorial Day to honor Hoosiers who have died while at work in the course of their jobs.

SECTION 2. That the Indiana House of Representatives will continue to promote labor policies that prioritize the health and safety of Hoosier workers.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Lisa Beck for distribution.

The resolution was read a first time and adopted by voice vote.

The Speaker yielded the gavel to Representative Macer.

House Resolution 31

Representatives Behning and Bosma introduced House Resolution 31:

A HOUSE RESOLUTION honoring State Representative Woody Burton.

Whereas, Representative Woody Burton has faithfully served the Indiana House of Representative since 1988, representing House District 58;

Whereas, Representative Burton has been married to his wife, Volley, for 38 years and with whom he has three children and six grandchildren;

Whereas, Representative Burton's education includes graduate realtor, Reppert School of Auctioneering, certified residential broker, and certified residential specialist;

Whereas, During his time in the legislature, Representative Burton has served as chair of the House Financial Institutions Committee, and he has also been a member of the Education Committee, the Judiciary Committee, and the Committee on Rules and Legislative Procedures;

Whereas, Representative Burton is involved in the community as a member of the National Association of Realtors and Metropolitan Indianapolis Board of Realtors, and he is involved in the Masonic Lodge, Murat and Franklin Shrine Clubs, and Scottish Rite, 33rd degree;

Whereas, Representative Burton was the driving force behind the "In God We Trust" state license plate, which is an option available to Hoosiers at no extra charge;

Whereas, Representative Burton's passion for helping others, especially children, has led him to champion legislation supporting students with dyslexia and increasing accountability in the child welfare system;

Whereas, Representative Burton played a key role in passing numerous laws supporting property tax relief, creating transparency within homeowners associations and providing a 13th check for public employee pensions;

Whereas, He also co-authored legislation to fight bullying in schools by establishing bullying prevention programs;

Whereas, Representative Burton has received many awards over the years, including Legislator of the Year from the Indiana Bankers Association, an Appreciation Award from the Indiana Driver's School Association, the Indiana Chamber Voice of Indiana Business Award from the Indiana Small Business Council of Indiana Chamber of Commerce, Outstanding Hoosier Legislator from the Indiana Credit Union League, a Youth Advocate Award from Johnson County Youth Services, an Autism Commitment Award from Indiana Autism Community, Recognition of Outstanding Leadership and Devotion of Service to Hoosier Veterans and their Families, an Appreciation Award from Disabled American Veterans, a Certificate of Appreciation from the Central Nine Career Center, the Ellis Island Medal of Honor from the National Ethnic Coalition of Organizations, the Dyslexia Champion Award from Pinnacle School, and more; and

Whereas, Representative Burton has served Indiana as a compassionate public servant, always putting the needs of Hoosiers first, and has stayed true to his faith and conservative principles: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana House of Representatives honors State Representative Woody Burton for his years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Robert Behning for distribution.

The resolution was read a first time and adopted by voice vote.

Representative Macer yielded the gavel to the Speaker.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 109, 181, 197, 237, 239, 249, 288, 358, 383 and 438.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 20

Representative Saunders called down Engrossed Senate Bill 20 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 194: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 139

Representative Cook called down Engrossed Senate Bill 139 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 195: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 180

Representative Carbaugh called down Engrossed Senate Bill 180 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 196: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 238

Representative DeVon called down Engrossed Senate Bill 238 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 197: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 258

Representative Frye called down Engrossed Senate Bill 258 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 198: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 269

Representative Lehman called down Engrossed Senate Bill 269 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 199: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 302

Representative Steuerwald called down Engrossed Senate Bill 302 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 200: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 405

Representative Pressel called down Engrossed Senate Bill 405 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 201: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 48

The Speaker handed down Senate Concurrent Resolution 48, sponsored by Representative Summers:

A CONCURRENT RESOLUTION honoring the Kappa Alpha Psi fraternity for its century of service within the community and its unyielding appreciation and support of diversity in all its forms.

Whereas, Kappa Alpha Psi, originally Kappa Alpha Nu, was established on January 5th, 1911 at Indiana University in Bloomington;

Whereas, This was the first and only African-American fraternity to this date founded on that campus and the third African-American college-based fraternity founded in the country;

Whereas, The young, intellectual, and talented 10 undergraduate college students herewith revered as the Founders were Elder Watson Diggs, Dr. Ezra Dee Alexander, Attorney Henry T. Asher, Dr. Byron K. Armstrong, Dr. Marcus Peter Blakemore, Paul W. Caine, George Wesley Edmonds, Dr. Guy Levis Grant, Edward Giles Irvin, and John Milton Lee;

Whereas, Kappa Alpha Psi Fraternity has grown to include over 700 chapters and has initiated over 30,000 men. The fraternity still maintains and lives by its motto from inception "Achievement in Every Field of Human Endeavor"; and

Whereas, Kappa Alpha Psi continues to serve as an avenue for young African American men to better themselves in the company of fraternal brothers and it is with great pride that we acknowledge the history of a respected service organization nationally and internationally in the state of Indiana: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana Senate honors the Kappa Alpha Psi fraternity for its century of service within the community and unyielding appreciation and support of diversity in all its forms.

SECTION 2. The Secretary of the Senate is hereby directed to transmit five copies of this resolution to the members of Kappa Alpha Psi.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 4:32 p.m. with the Speaker in the Chair.

Upon request of Representative Austin, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 202: 68 present. The Speaker declared a quorum present.

Representatives Ellington, Kirchhofer, Lindauer and Soliday who had been present, are now excused.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 424

Representative Engleman called down Engrossed Senate Bill 424 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 424-1)

Mr. Speaker: I move that Engrossed Senate Bill 424 be amended to read as follows:

Page 4, line 32, reset in roman "shall".

Page 4, line 32, delete "may".

Page 5, delete lines 28 through 29, begin a new line block indented and insert:

"(8) A description of the applicant's plan, developed with the assistance of a representative of an agency designated under IC 5-26.5-3-4, to maintain the confidentiality of the applicant's new address.

(9) The office of the attorney general may require the applicant to provide additional information:

(A) to determine the truth or falsity of the sworn statement as described in subdivision (1); or

(B) about the applicant's plan described in subdivision (8)."

Page 7, line 10, after "certification" insert **"or deny an applicant's application"**.

Page 7, line 11, delete "participant:" and insert **"participant or applicant:"**.

Page 7, delete lines 12 through 14, begin a new line block indented and insert:

"(1) uses or intends to use the program in furtherance of a crime;

(2) knowingly misrepresents in a fraudulent manner any information the program participant or applicant provides under this article; or

(3) is unable or unwilling to maintain the confidentiality of the program participant's or applicant's address."

(Reference is to ESB 424 as printed February 21, 2020.)

ENGLEMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 299

Representative Stutzman called down Engrossed Senate Bill 299 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 299-1)

Mr. Speaker: I move that Engrossed Senate Bill 299 be amended to read as follows:

Page 6, line 13, delete "and in" and insert **"and, in an"**.

Page 7, line 12, delete "A" and insert **"Except in extraordinary circumstances where the required information is unavailable or unknown, a"**.

(Reference is to ESB 299 as printed February 21, 2020.)

BACON

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 194

Representative Steuerwald called down Engrossed Senate Bill 194 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 194-1)

Mr. Speaker: I move that Engrossed Senate Bill 194 be amended to read as follows:

Page 23, delete lines 21 through 42.

Page 24, delete lines 1 through 25.

Page 24, line 36, after "substance," insert **"or controlled substance analog,"**.

Page 25, line 3, after "substance," insert **"or controlled substance analog,"**.

Page 25, delete lines 35 through 42.

Delete page 26.

Page 27, delete lines 1 through 40.

Page 28, line 7, after "(2)" insert **"controlled substance or"**.

Page 28, line 7, reset in roman "analog".

Renumber all SECTIONS consecutively.

(Reference is to ESB 194 as printed February 21, 2020.)

PIERCE

Motion prevailed.

HOUSE MOTION
(Amendment 194-2)

Mr. Speaker: I move that Engrossed Senate Bill 194 be amended to read as follows:

Page 28, after line 26, begin a new paragraph and insert:

"SECTION 13. IC 35-48-4-8.3, AS AMENDED BY P.L.187-2015, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.3. (a) This section does not apply to a rolling paper.

(b) A person who knowingly or intentionally possesses an instrument, a device, or another object that the person intends to use for:

(1) introducing into the person's body a controlled substance;

(2) testing the strength, effectiveness, or purity of a controlled substance; or

(3) enhancing the effect of a controlled substance;

commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated judgment or conviction under this section.

(c) It is a defense to a prosecution under this section that:

(1) the instrument, device, or other object is for use with marijuana; and

(2) a physician treating the patient has certified in a writing executed within the previous year that:

(A) the person suffers from a terminal illness or serious untreatable disease; and

(B) in the professional opinion of the physician, the benefits of treatment with marijuana are greater than the risks of treatment with marijuana.

SECTION 14. IC 35-48-4-11, AS AMENDED BY P.L.153-2018, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A person who:

(1) knowingly or intentionally possesses (pure or adulterated) marijuana, hash oil, hashish, or salvia;

(2) knowingly or intentionally grows or cultivates marijuana; or

(3) knowing that marijuana is growing on the person's premises, fails to destroy the marijuana plants;

commits possession of marijuana, hash oil, hashish, or salvia, a Class B misdemeanor, except as provided in subsections (b) through (c).

(b) The offense described in subsection (a) is a Class A misdemeanor if:

(1) the person has a prior conviction for a drug offense; or

(2) the:

(A) marijuana, hash oil, hashish, or salvia is packaged in a manner that appears to be low THC hemp extract; and

(B) person knew or reasonably should have known that the product was marijuana, hash oil, hashish, or salvia.

(c) The offense described in subsection (a) is a Level 6 felony if:

(1) the person has a prior conviction for a drug offense; and

(2) the person possesses:

(A) at least thirty (30) grams of marijuana; or

(B) at least five (5) grams of hash oil, hashish, or salvia.

(d) It is a defense to a prosecution under this section that:

(1) the person possessed less than two (2) ounces of marijuana; and

(2) a physician treating the patient has certified in a writing executed within the previous year that:

(A) the person suffers from a terminal illness or serious untreatable disease; and

(B) in the professional opinion of the physician, the benefits of treatment with marijuana are greater than the risks of treatment with marijuana."

(Reference is to ESB 194 as printed February 21, 2020.)

ERRINGTON

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We hereby appeal the ruling of the Chair that amendment Senate Bill 194-2 violates House Rule 80. The amendment addresses a defense to a prosecution for possession of marijuana paraphernalia and possession of less than 2 ounces of marijuana for a person suffering from a terminal illness and is assuredly germane to the bill's subject matter of drug scheduling.

DVORAK
ERRINGTON

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Karickhoff.

The question was, Shall the ruling of the Chair be sustained? Roll Call 203: yeas 59, nays 29. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

The bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative VanNatter be added as cosponsor of Engrossed Senate Bill 10.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 319.

JORDAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Steuerwald be removed as first sponsor and Representative McNamara be substituted therefor and Representative Steuerwald be added as cosponsor of Engrossed Senate Bill 335.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as cosponsor of Engrossed Senate Bill 346.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Soliday, Carbaugh, Goodrich, Austin, Bartlett, Bauer, Boy, Campbell, Candelaria Reardon, McNamara, Chyung, DeLaney, Deal, Dvorak, Errington, Fleming, Negele, GiaQuinta, Goodin, Hamilton, Harris, Hatcher, Hatfield, Lehe, Jackson, Klinker, Macer, Moed, Moseley, Pfaff, Pierce, Porter, Pryor, Shackelford, V. Smith, Summers and Wright be added as coauthors of House Resolution 30.

BECK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as cosponsor of Senate Concurrent Resolution 37.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives McNamara and Kirchhofer be added as cosponsors of Senate Concurrent Resolution 46.

PRESSEL

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1022, 1067 and 1210 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 29, 37, 48 and 51 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 17, 21, 33, 35, 36 and 39 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Burton, the House adjourned at 4:59 p.m., this twenty-fourth day of February, 2020, until Tuesday, February 25, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives